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TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 9898

SUSPENSION OF THE EIGHT-HOUR LAW AS TO LABORERS AND MECHANICS EMPLOYED BY THE DEPARTMENTS OF THE ARMY AND THE AIR FORCE ON CERTAIN PUBLIC WORKS

WHEREAS the Departments of the Army and the Air Force are engaged in public-work activities which are essential to the support of the military establishment and fulfillment of international commitments of the United States; and

WHEREAS employees of the Departments of the Army and the Air Force work upon portions of the same projects upon other portions of which employees of contractors are working in excess of eight hours a day; and

WHEREAS such employees of the Departments of the Army and the Air Force are not able by working only eight hours a day to carry on the Government work at the same rate as the contract work, and the completion of such projects is thereby frequently delayed; and

WHEREAS by section 1 of the act of August 1, 1892 (27 Stat. 340), as amended by the act of March 3, 1913 (37 Stat. 726, 40 U. S. C. 321), the services of laborers and mechanics employed by the Government of the United States upon any public work of the United States is limited to eight hours in any one calendar day, except in case of extraordinary emergency; and

WHEREAS I find that, as to those activities essential to the support of the military forces or urgent construction projects being performed by or for the Departments of the Army and the Air Force an extraordinary emergency exists:

NOW, THEREFORE, by virtue of the authority vested in me by section 1 of the said act of August 1, 1892, as amended by the said act of March 3, 1913, and as President of the United States, I hereby suspend until July 1, 1948, the above-mentioned provisions of law, prohibiting more than eight hours of labor in any one day by laborers and mechanics employed by the Government of the United States, as to all work performed by laborers and mechanics employed by the Department of the Army or the Department of the Air Force with respect to which the Secretary of the Army or the

Secretary of the Air Force, respectively, shall find suspension essential to (1) the supply and maintenance of the Army or the Air Force, (2) the completion of essential construction, or (3) the fulfillment of international commitments: *Provided*, That the wages of all laborers and mechanics so employed by the Department of the Army or the Department of the Air Force shall be computed on a basic day rate of eight hours of work with overtime to be paid at time and one-half for all hours of work in excess of eight hours in any one day.

Executive Order No. 9290 of December 28, 1942, entitled "Suspension of Eight-Hour Law as to Laborers and Mechanics Employed by the War Department on Public Works within the United States," is hereby superseded.

HARRY S. TRUMAN

THE WHITE HOUSE,
October 14, 1947.

[F. R. Doc. 47-9330; Filed, Oct. 14, 1947;
4:32 p. m.]

EXECUTIVE ORDER 9899

CREATING AN EMERGENCY BOARD TO INVESTIGATE A DISPUTE BETWEEN THE ATLANTA & WEST POINT RAIL ROAD COMPANY AND THE WESTERN RAILWAY OF ALABAMA AND CERTAIN OF THEIR EMPLOYEES

WHEREAS a dispute exists between the Atlanta & West Point Rail Road Company and the Western Railway of Alabama, carriers, and certain of their employees represented by the Brotherhood of Locomotive Engineers, a labor organization; and

WHEREAS this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce within the states of Alabama and Georgia to a degree such as to deprive that portion of the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U. S. C. 160), I hereby create a board of three members, to be appointed by me,

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FEDERAL REGISTER

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¹ E. O. 9898.

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to investigate the said dispute. No member of the said board shall be pecuniarily or otherwise interested in any organization of railway employees or any carrier.

The board shall report its findings to the President with respect to the said dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the Atlanta & West Point Railroad Company and the Western Railway of Alabama or their employees in the conditions out of which the said dispute arose.

HARRY S. TRUMAN

THE WHITE HOUSE,
October 15, 1947.

[F. R. Doc. 47-9365; Filed, Oct. 15, 1947; 11:38 a. m.]

TITLE 7—AGRICULTURE

Chapter VIII—Production and Marketing Administration (Sugar Branch)

PART 802—SUGAR DETERMINATIONS

FAIR AND REASONABLE WAGE RATES FOR HARVESTING 1947 CROP OF SUGARCANE IN LOUISIANA

Pursuant to section 301 (b) of the Sugar Act of 1937, as amended, and after investigation and due consideration of the evidence obtained at the public hearing held in New Iberia, Louisiana on July

26, 1947, the following determination is hereby issued:

§ 802.24bb *Fair and reasonable wage rates for harvesting the 1947 crop of sugarcane in Louisiana.* The requirements of section 301 (b) of the Sugar Act of 1937, as amended, shall be deemed to have been met with respect to the harvesting of the 1947 crop of sugarcane in Louisiana, if all persons employed on the farm in the harvesting of such crop shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates as follows:

(a) *Wage rates agreed upon between producer and laborer.* The wage rates agreed upon between the producer and the laborer but in no case less than the rates prescribed under paragraphs (b), (c), and (d) of this section.

(b) *Adult males or adult females when employed on a time basis.*

Operation	Per day of 9-hours	Per hour
(1) Cutting, topping, stripping:		
Adult males	\$3.50	\$0.39
Adult females	3.05	.34
(2) Loading	4.15	.47
(3) Cutting and loading	3.70	.42
(4) Tractor drivers and truck drivers	4.25	.48
(5) Teamsters	4.05	.45
(6) Hoist Operators	3.70	.42
(7) Operators of mechanical loading or harvesting equipment	4.60	.52
(8) Pilers	3.70	.42
(9) Grabmen, spotters, ropemen	4.15	.47
(10) Scrappers	3.50	.39
(11) Any other operation connected with harvesting	3.05	.34

(c) *Workers between 14 and 16 years of age when employed on a time basis.* For workers between the ages of 14 and 16 years, the rate per day of 8 hours (maximum hours per day for such workers without deduction from Sugar Act payments) shall be not less than three-fourths of the applicable rate established under paragraph (b) of this section for adult male workers for a 9-hour day. For a working day shorter than 8 hours, the rate shall be in proportion.

(d) *All workers when employed on a piece work basis.*

Operation	Rate per ton	
	Large barrel varieties ¹	Small barrel varieties ¹
(1) Cutting top and bottom, and stripping	\$1.50	\$1.80
(2) Cutting top and bottom	1.00	1.20
(3) Loading	.44	.53
(4) Cutting top and bottom, stripping and loading	1.94	2.33
(5) Cutting top and bottom, and loading	1.44	1.73
(6) The piece rate for any operation specified above when performed on a unit basis other than a ton unit, or the piece rate for any operation not specified above, shall be that agreed upon between the producer and the laborer: <i>Provided, however,</i> That the hourly rate of earnings of each worker, for the time involved, shall be not less than the applicable hourly rate specified in pars. (b) or (c) of this section.		

¹ Large barrel varieties shall include: C. O. 290; C. P. 29/103; C. P. 29/116; C. P. 33/243; C. P. 36-13. All other varieties shall be classed as small barrel.

(e) *General provision.* (1) In addition to the foregoing the producer shall

furnish to the laborer without charge the customary perquisites, such as a habitable house, medical attention, and other customary incidentals.

(2) The producer shall not reduce the wage rates to laborers below those determined herein through any subterfuge or device whatsoever. (Section 301, 50 Stat. 909; 7 U. S. C. 1131)

Issued this 13th day of October 1947.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 47-9279; Filed, Oct. 15, 1947; 8:46 a. m.]

TITLE 29—LABOR

Chapter VIII—Commissioner of Internal Revenue

[T. D. 5579]

PART 1001—SALARY STABILIZATION UNIT

PART 1002—STABILIZATION OF SALARIES

PART 1003—PROCEDURE RELATIVE TO A DETERMINATION THAT SALARIES OR WAGES SUBJECT TO THE JURISDICTION OF NATIONAL WAGE STABILIZATION BOARD WERE PAID IN CONTRAVENTION OF THE ACT OF OCTOBER 2, 1942, AS AMENDED

ABOLITION OF THE SALARY STABILIZATION UNIT AND FOR TRANSFER OF ITS POWERS AND DUTIES TO INCOME TAX UNIT OF BUREAU OF INTERNAL REVENUE

The powers and duties heretofore conferred upon the Head of the Salary Stabilization Unit of the Bureau of Internal Revenue under the provisions of Treasury Decision 5176; 7 F. R. 8820, as amended by Treasury Decision 5511; 11 F. R. 4724 (29 CFR, Part 1001), are hereby transferred to the Deputy Commissioner of the Income Tax Unit of the Bureau of Internal Revenue, and the Salary Stabilization Unit, created under the provisions of Treasury Decision 5176 (29 CFR, Part 1001), is hereby abolished.

In view of the abolition of the Salary Stabilization Unit and the transfer to the Deputy Commissioner of the Income Tax Unit of the powers and duties conferred upon the Head of the Salary Stabilization Unit, the words "Salary Stabilization Unit", wherever they might appear in the regulations of the Commissioner of Internal Revenue relating to the stabilization of wages and salaries under the act of October 2, 1942, as amended, entitled "An act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes" (56 Stat. 765; 50 U. S. C., App. Sup., sec. 961-971), or in mimeographs, memoranda, orders, or forms issued under the above-mentioned regulations, on and after the effective date of this Treasury Decision, shall be read: "Income Tax Unit." Likewise, the words "Deputy Commissioner of the Salary Stabilization Unit" or the words "Head, Salary Stabilization Unit" shall be read: "Deputy Commissioner of the Income Tax Unit."

(Secs. 3, 12, 60 Stat. 238, 244; 5 U. S. C. Sup. 1002, 1011)

This Treasury Decision shall be effective upon filing for publication with the FEDERAL REGISTER.

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved: October 10, 1947.

A. L. M. WIGGINS,
Acting Secretary of the Treasury.

[F. R. Doc. 47-9304; Filed, Oct. 15, 1947; 8:45 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter II—Geological Survey, Department of the Interior

PART 200—ORGANIZATION AND PROCEDURE

DELEGATION OF AUTHORITY

CROSS REFERENCE: For order affecting the list of delegations of authority contained in §§ 200.50 to 200.53, inclusive, see Part 4 of Title 43, *infra*, amending the regulations with regard to functions relating to unit agreements and adding sections authorizing the approval of certain agreements.

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 21—INTERNATIONAL POSTAL SERVICE

GERMANY; PRINTED MATTER FOR THE AMERICAN AND BRITISH ZONES; LETTERS AND PRINTED MATTER FOR BLIND

Effective October 7, 1947, the regulations under the country "Germany" (39 CFR, Subpart B, Part 21) are amended as follows:

1. Paragraph (a) under the heading "Restricted resumption of mail service to all of Germany" (12 F. R. 706), as amended (12 F. R. 1604, 3303, 3974, 6502, is further amended to read as follows:

Restricted resumption of mail service to all of Germany. (a) (1) Ordinary letters weighing not in excess of four pounds six ounces are acceptable to transmission to Germany. Post cards, not of a fascist or subversive character, may also be sent.

(2) Merchandise in letter packages is limited to that sent as gifts.

(3) Letters written in Braille for all zones of Germany will be accepted up to four pounds six ounces in weight. The nature of correspondence written in Braille must comply with the restrictions for correspondence in general.

Printed matter for the blind will be accepted up to eleven pounds in weight for all zones of Germany, and its nature must comply with the restrictions for printed matter in general.

The regular rates for sealed letters and printed matter for the blind apply to those articles when sent by surface means. If sent by air the postage rate and weight limit for air mail will apply.

(4) Envelopes must not have any inner-lining nor carry any indication other than the address of the sender and the addressee and necessary postal directions.

(5) Commercial papers and samples of merchandise may be sent under the conditions specified in § 21.6 and § 21.8, respectively.

2. A new paragraph (j) is added to the regulations under the heading "Re-

stricted resumption of mail to all of Germany" (12 F. R. 706) reading as follows:

(j) *Printed matter for the American and British Zones.* Printed matter up to four pounds six ounces in weight may be mailed on a gift basis to the American and British Zones of Germany, excluding Berlin. It is not necessary that the wrappers of the packages be marked "Non-commercial Printed Matter."

The following types of printed matter are prohibited:

(1) Materials propagating or glorifying the ultra nationalist, militarist, racist or pan-German doctrines.

(2) Materials containing malicious attacks on any of the occupying powers or malicious criticisms of decisions or actions of the Allied Control Council, or constituting incitement to riot or disorder, or interfering with the process of Military Government.

(3) Materials attempting to create divisions between or foster disrespect for the United Nations.

3. The regulations contained in Federal Register Document 47-2132 (12 F. R. 1604) entitled "Service to Foreign Countries" are rescinded.

(R. S. 161, 396, 398; secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] ROBERT E. HANNEGAN,
Postmaster General.

[F. R. Doc. 47-9272; Filed, Oct. 15, 1947;
8:48 a. m.]

PART 21—INTERNATIONAL POSTAL SERVICE SERVICE TO FOREIGN COUNTRIES; LIMITATION ON PARCEL POST TO REPUBLIC OF THE PHILIPPINES

Paragraph (b) (1) of the regulations under the Country "Philippines (Republic of the)" in Part 21, Subpart B of Title 39 (12 F. R. 3301) as amended (12 F. R. 6524) is amended by the addition of the following:

Except as noted below, only one parcel-post package per week may be sent by or on behalf of the same sender in this country to or for the same addressee in the Philippines. There is no limitation on the number of parcels containing books and other printed matter that may be sent at one time to addressees in the Philippines.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

This amendment shall become effective at once.

[SEAL] ROBERT E. HANNEGAN,
Postmaster General.

[F. R. Doc. 47-9271; Filed, Oct. 15, 1947;
8:48 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

[Order 2365]

PART 4—DELEGATION OF AUTHORITY GEOLOGICAL SURVEY; DELEGATIONS TO DIRECTOR IN SPECIFIED MATTERS

1. New paragraphs numbered (m) and (n) are hereby added to § 4.611 (see Or-

der No. 2280, 11 F. R. 14164) to read as follows:

§ 4.611 *Functions relating to unit agreements.* Authority to perform the following functions with respect to unit agreements is delegated to the Director of the Geological Survey:

(m) Approve unit agreements which adopt and follow the form of unit agreement set forth in 30 CFR 226.12.

(n) Approve unit agreements which the Secretary of the Interior has previously approved as to form in accordance with 30 CFR 226.4 and which are submitted duly executed in the same form for final approval.

2. The following new sections are hereby added to Subpart H, Part 4, to become effective immediately:

§ 4.617 *Approval of crude oil exchange agreements.* The Director of the Geological Survey is hereby authorized to give final approval to agreements providing for the exchange of crude oil purchased under the act of July 13, 1946 (60 Stat. 533) and the regulations thereunder, 30 CFR 225.1 et seq., for other crude oil.

§ 4.618 *Approval of communitization or drilling agreements.* The Director of the Geological Survey is hereby authorized to give final approval to communitization or drilling agreements submitted for approval in accordance with 43 CFR 192.22 (Circular 1624).

(R. S. 161, sec. 32, 41 Stat. 450, sec. 36, 41 Stat. 451, 60 Stat. 533; 5 U. S. C. 22, 30 U. S. C. 189, 192)

C. GIRARD DAVIDSON,
Assistant Secretary of the Interior.

OCTOBER 8, 1947.

[F. R. Doc. 47-9283; Filed, Oct. 15, 1947;
8:52 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 775]

PART 95—CAR SERVICE

DEMURRAGE ON RAILROAD FREIGHT CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 9th day of October A. D. 1947.

It appearing, that railroad freight cars are being delayed unduly in loading and unloading, or while held for orders, bill of lading, payment of freight charges, reconsignment, diversion, reshipment, inspection, or forwarding directions, causing a shortage of equipment and impeding and diminishing the use, control, supply, movement, distribution, exchange, interchange, and return of such cars; in the opinion of the Commission an emergency requiring immediate action exists in all sections of the country: it is ordered, that:

§ 95.775 *Demurrage on railroad freight cars—(a) Cars not subject to an average agreement.* After the expiration of free

time when detention of cars occurs, for which charges are or may be lawfully provided by tariffs, the demurrage charges on railroad freight cars not included in an average agreement, held for orders, bill of lading, payment of freight charges, reconsignment, diversion, reshipment, inspection, forwarding directions, loading or unloading shall be \$3.30 per car per day or a fraction thereof for the first two (2) days; \$5.50 per car per day or a fraction thereof for the third day; \$11 per car per day or a fraction thereof for the fourth day; and \$16.50 per car per day or a fraction thereof for each succeeding day.

(b) *Cars subject to an average agreement.* After the expiration of free time when detention of cars occurs, for which charges are or may be lawfully provided by tariffs, the demurrage charges on railroad freight cars, included in an average agreement, held for orders, bill of lading, payment of freight charges, reconsignment, diversion, reshipment, inspection, forwarding directions, loading or unloading shall be \$3.30 per car per day or a fraction thereof for the first two (2) days; \$5.50 per car per day or a fraction thereof for the third day; \$11 per car per day or a fraction thereof for the fourth day; and \$16.50 per car per day or a fraction thereof for each succeeding day. The \$3.30 per day debit charges may be offset or reduced by accrued credits as provided in applicable demurrage tariffs: *Provided, however,* That the \$5.50 per day, \$11 per day, and \$16.50 per day charges may not be offset or reduced, except on run-around cars.

(c) *Application.* (1) The provisions of this section shall apply to intrastate and interstate traffic as well as foreign traffic, subject to the following exceptions:

Exceptions: Import, export, coastwise (including Great Lakes) or intercoastal bulk freight (including vessel fuel coal and coke) or explosives traffic, during the period such traffic is held in cars at ports for transfer to vessels or held at United States-Canadian border crossings, is not subject to this section. Bulk freight means any carload freight consisting of any non-liquid, non-gaseous commodity shipped loose or in mass and which in the unloading thereof is ordinarily shoveled, scooped, forked, or mechanically conveyed, or which is not in containers or in units of such size as to permit piece by piece unloading.

(2) *Description of cars subject to this section.* This section shall apply to cars suitable for interchange described under the headings Class G—Gondola Car Types; Class H—Hopper Car Type; Covered Hopper Cars having a mechanical designation "LO", Gondolas "MWB", Class "S", Stock Cars, Class "R", Refrigerator Cars, Closed Box Cars having a mechanical designation in the current Railway Equipment Register prefixed by "X" or "V", also "BX" but only when the latter cars are used in freight service; and Flat Cars except special flat cars of AAR mechanical designation "LF" or "LFA".

(3) *Service orders.* The provisions of this section shall not be construed to alter the provisions of Service Order No.

70 (8 F. R. 8515) as amended (8 F. R. 8515), 11 F. R. 8451; 12 F. R. 3032; or Revised Service Order No. 112 (9 F. R. 11278-79) 9 F. R. 12656, 10 F. R. 341, 8867, 14575; 11 F. R. 2383, 10304, or Service Order No. 135 (8 F. R. 9569) as amended (8 F. R. 10941; 11 F. R. 8451; 11077; 12 F. R. 840, 4001). The provisions of this section shall not apply to detention of refrigerator cars utilized in accordance with the provisions of Fifth Revised Service Order No. 104 (12 F. R. 6223).

(4) *Run-around cars.* Allowance for run arounds attributable to railroad errors or failures in switching, on cars subject to average agreement, shall not be made except on cars held beyond the first two debit days. Those two debits may be offset by accrued credits.

(d) *Effective date.* This section shall become effective at 7:00 a. m., October 15, 1947 and the provisions of this section shall apply only to cars on which the free time expires on or after the effective date hereof.

(e) *Expiration date.* This section shall expire at 7:00 a. m., May 1, 1948, unless otherwise modified, changed, sus-

pended or annulled by order of the Commission.

(f) *Tariff provisions suspended.* (1) Except as provided in subparagraph (2) of this paragraph the operation of all rules, regulations or charges, insofar as they conflict with the provisions of this section, is hereby suspended.

(2) This section shall not change Demurrage Rule 8 of Agent B. T. Jones' Tariff I. C. C. No. 3963 as amended or as reissued or similar rules in other tariffs, relating to adjustment, canceling or refunding demurrage charges arising from the unusual conditions or circumstances described in the said Rule 8 or similar rules in other tariffs.

(g) *Announcement of suspension.* Each railroad, or its agent, shall publish, file and post a supplement to each of its tariffs affected thereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of the operation of any of the conflicting provisions therein, and establishing the substituted provisions set forth herein.

It is further ordered, that this order shall vacate and supersede Fourth Revised Service Order No. 180, Fifth Revised Service Order No. 180, Revised Service Order No. 369, and Revised Service Order No. 653 on the effective date hereof; a copy of this order and direction be served upon the State railroad regulatory bodies of each State, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 1, 24 Stat. 379, as amended, 40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 47-9278; Filed, Oct. 15, 1947; 8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Bureau of Entomology and Plant Quarantine

[7 CFR, Part 319]

IN-TRANSIT STERILIZATION OF CERTAIN FRUITS

NOTICE OF PROPOSED RULE MAKING TO AMEND ADMINISTRATIVE INSTRUCTIONS

Provision is made in administrative instructions supplemental to the Fruit and Vegetable Quarantine No. 56 (7 CFR 319.56-2e; B. E. P. Q. 464, Sept. 15, 1937) for the importation of grapes of the *Vinifera* type, and such other deciduous fruits as may be approved in the permit, from regions where the Mediterranean fruitfly occurs, subject to in-transit sterilization on ships equipped with adequate approved refrigeration facilities. The authorized treatment provides for precooling the fruit in a plant, in the country concerned, approved by the Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture to a temperature of 32° F. prior to loading, maintaining the fruit at a temperature of 33° F. or less during the period of transfer from the precooling plant and beginning of the refrigeration treatment on the carrying vessel, and holding the fruit at a temperature of 34° F. or below for a period of 12 days on vessels, in designated holds or compartments of vessels which have been approved by the Bureau for carrying out the in-transit treatment, and which have been equipped with approved temperature-recording instruments located, in-

stalled, operated, and maintained in a manner prescribed by the Bureau.

Experimental evidence discloses that the Mediterranean fruitfly will not survive in fruit handled in the same manner but held during the in-transit treating period at a temperature of 36° F. or below for a period of 16 days and that such modification of the treatment may be safely authorized in lieu of holding the fruit at 34° F. or below for a period of 12 days. The United States Department of Agriculture is now considering the advisability of amending said administrative instructions (7 CFR 319.56-2e) to authorize this alternative temperature during the in-transit treatment in order that shippers may have the option of a longer treating period at the higher temperature when this is practicable and desirable and may be accomplished prior to entry of the treated fruit upon arrival at a United States port.

Any interested person who wishes to submit written comments, data, or arguments concerning the proposed amendment may do so by filing them with the Chief of the Bureau of Entomology and Plant Quarantine, Agricultural Research Administration, United States Department of Agriculture, Washington 25, D. C., within 20 calendar days after the publication of this notice.

Done at Washington, D. C., this 24th day of September 1947.

[SEAL]

P. N. ANNAND,
Chief, Bureau of Entomology
and Plant Quarantine.

[F. R. Doc. 47-9281; Filed, Oct. 15, 1947; 8:46 a. m.]

Production and Marketing Administration

[7 CFR, Part 725]

BURLEY AND FLUE-CURED TOBACCO

NOTICE OF PROPOSED AMENDMENT TO 1948 TOBACCO MARKETING QUOTA REGULATIONS

Consideration is being given to amending Tobacco 13, Part I (1948) (12 F. R. 5501), issued pursuant to authority contained in the applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. and Sup. 1312, 1313).

The proposed amendment would strike out the proviso in § 725.421 (a) and insert in lieu thereof, the following: "Provided, That with the recommendation of the county committee and the approval of the State committee, the tobacco acreage allotment determined for a tract under the provisions of this paragraph may be increased or decreased by not more than the larger of one-tenth acre or 10 percent of the 1948 acreage allotment determined for the entire farm, with corresponding increases or decreases made in the acreage allotments apportioned to the other tract or tracts."

Prior to the final adoption of this amendment, consideration will be given to any data, views, and recommendations pertaining thereto which are submitted in writing to the Director, Tobacco Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C. All sub-

PROPOSED RULE MAKING

missions must be postmarked not later than October 27, 1947.

Issued at Washington, D. C. this 13th day of October 1947.

[SEAL] **JESSE B. GILMER,**
Administrator.

[F. R. Doc. 47-9306; Filed, Oct. 15, 1947;
8:45 a. m.]

[17 CFR, Part 725]

BURLEY AND FLUE-CURED TOBACCO

NOTICE OF HEARINGS WITH RESPECT TO MARKETING QUOTAS FOR 1948-49 MARKETING YEAR

Pursuant to the authority contained in the Agricultural Adjustment Act of 1938, as amended, the Secretary of Agriculture is preparing to determine whether marketing quotas are required to be proclaimed for the 1948-49 marketing year on Burley and flue-cured tobacco and, if so, the amounts of the national marketing quotas for such kinds of tobacco.

The Agricultural Adjustment Act of 1938, as amended (7 U. S. C. and Sup., 1301 (b), 1312 (a)), provides that whenever the Secretary finds that the total supply of tobacco as of the beginning of the marketing year then current exceeds the reserve supply level therefor, the Secretary shall proclaim the amount of such total supply, and, beginning on the first day of the marketing year next following and continuing throughout such year, a national marketing quota shall be in effect for the tobacco marketed during such marketing year. The act provides further that the Secretary shall also determine and specify in such proclamation the amount of the national marketing quota in terms of the total quantity of tobacco which may be marketed, which will make available during such marketing year a supply of tobacco equal to the reserve supply level.

In a referendum held on October 25, 1946, 129,734 of the 135,326 Burley tobacco growers voting favored marketing quotas for the marketing years 1947-48 through 1949-50 (11 F. R. 14509). In a referendum held July 12, 1946, 249,320 of the 256,735 flue-cured tobacco growers voting favored marketing quotas for the marketing years 1947-48 through 1949-50 (11 F. R. 9732).

A public hearing will be held at the State PMA office, Maxwell and Mill Streets, Lexington, Kentucky, November 10, 1947, at 10:00 a. m. (c. s. t.) for the purpose of considering whether a national marketing quota should be proclaimed for Burley tobacco for the 1948-49 marketing year and, if so, the amount of such quota.

A public hearing will be held in Pullen Hall, North Carolina State College, Raleigh, North Carolina, November 5, 1947, at 10:00 a. m. (e. s. t.) for the purpose of considering whether a national marketing quota should be proclaimed for flue-cured tobacco for the 1948-49 marketing year and, if so, the amount of such quota.

In making the determinations as to whether marketing quotas are required to be proclaimed on Burley and flue-cured tobacco for the 1948-49 marketing year and the amounts of the national marketing quotas, consideration will be given to any data, views, and recommendations pertaining thereto which are presented at the hearings or which are submitted in writing to the Director, Tobacco Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C. All written submissions must be postmarked not later than November 10, 1947.

Issued at Washington, D. C. this 13th day of October 1947.

[SEAL] **JESSE B. GILMER,**
Administrator.

[F. R. Doc. 47-9305; Filed, Oct. 15, 1947;
8:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR, Part 240]

SOLICITATIONS OF PROXIES

NOTICE OF PROPOSAL TO REVISE

Notice is hereby given that the Securities and Exchange Commission has under consideration proposals for the revision of the proxy rules, § 240.14 (Regulation X-14), under section 14 (a) of the Securities Exchange Act of 1934. A preliminary draft of the proposed revision is attached hereto.

The general purpose of the proposed revision is to reorganize and clarify the proxy rules, to incorporate therein certain administrative interpretations made from time to time since the rules were adopted, and to amend the rules in certain other respects. The order of the rules has been revised so as to place the definitions and the rule as to the scope of the regulation at the beginning of the regulation. Throughout the regulation changes in language have been made with the idea of making the requirements more easily understood. The requirements of Schedule 14A, which specifies what information is to be given in proxy statement, have in many cases been broken up into shorter items, and captions have been inserted for all of the items.

Certain definitions have been deleted because they are no longer necessary or are contained elsewhere. The definition of the term "associate" has been broadened to include all close family relationships.

The exemptions of certain solicitations from the regulation have been amended in certain minor respects.

Under the proposed revision an annual report is required to be sent to stockholders only in the case of annual meetings involving the election of directors. It will no longer be necessary to send out an annual report prior to special meetings where only one or two directors are to be elected to fill vacancies.

The requirements as to the form of proxy have been amended to provide

that where a security holder does not mark the ballot, the proxy holder is required to state only his bona fide intention as to the way in which the shares represented by the proxy will be voted. If later events make it unwise to vote in the manner stated, the proxy holder may then vote the shares in his discretion.

The proposed revision makes certain changes in the requirements as to the filing of solicitation and other material. The revision continues the confidential character of preliminary proxy material filed with the Commission but provides that the Commission may make limited disclosure of such material for the purpose of facilitating its examination of the material. New provisions have been added which would require the filing of preliminary copies of follow-up material and copies of "educational" material furnished to paid solicitors for their use in connection with the solicitation.

The proposed revision provides that where a security holder requests the management to mail proxy solicitation material the management may, at its option, furnish the security holder a list of security holders in lieu of mailing his solicitation material for him. The proposed rules also provide that where the management is requested by a security holder to include a proposal in the management's proxy material but does not comply with the request, either because it is claimed that the proposal is not a proper subject for action or because it was not received in due time, the management shall file a copy of such proposal with the Commission together with a statement of the reasons for its omission.

The principal change which the proposed revision makes in Schedule 14A is in the item which calls for information as to the remuneration of certain persons. In Schedule 14A as presently in effect, information as to remuneration is called for only where the election of directors is a matter to be acted upon at the meeting. The revised rules call for such information also where a remuneration or pension plan in which directors or officers will participate is to be acted upon or where the security holders are to be asked to authorize options for directors or officers. In certain respects, however, the remuneration item has been narrowed in scope. For example, information is no longer required as to the remuneration of employees unless such employees are also directors, officers or nominees for election as directors or have some other special relationship with the issuer or its subsidiaries.

Two items contained in Schedule 14A as presently in effect have been deleted from the proposed revision. One of these items calls for information as to the election of officers and the other calls for information as to matters which other persons intend to present at the meeting but which the management intends to rule out of order.

All interested persons are invited to submit data, views and comments on the proposed revision in writing to the Securities and Exchange Commission at its principal office, 18th and Locust Streets,

Philadelphia 3, Pennsylvania, on or before November 5, 1947.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

OCTOBER 8, 1947.

Sec.

- 240.14a-1 Definitions.
- 240.14a-2 Solicitations to which rules apply.
- 240.14a-3 Information to be furnished security holders.
- 240.14a-4 Requirements as to form of proxy.
- 240.14a-5 Presentation of information in proxy statement.
- 240.14a-6 Material required to be filed.
- 240.14a-7 Mailing communications for security holders.
- 240.14a-8 Proposals of security holders.
- 240.14a-9 False or misleading statements.

NOTE: §§ 240.14a-1 to 240.14a-9 inclusive, correspond to Rules X-14A-1 to X-14A-9, inclusive, of Regulation X-14.

§ 240.14a-1 *Definitions.* For the purposes of the regulations in this part, the following definitions apply unless the context otherwise requires:

Associate. The term "associate", used to indicate a relationship with any person, means (a) any corporation or organization (other than the issuer or a majority-owned subsidiary of the issuer) of which such person is an officer or partner or is, directly or indirectly a beneficial owner of 10 percent or more of any class of equity securities, (b) any trust or other estate in which such person has a substantial beneficial interest or as to which such person serves as a trustee or in a similar fiduciary capacity, and (c) any person having a close family relationship with such person.

Issuer. The term "issuer" means the issuer of the securities in respect of which a proxy is solicited.

Proxy. The term "proxy" includes every proxy, consent or authorization within the meaning of section 14 (a) of the act. The consent or authorization may take the form of failure to object or to dissent.

Proxy statement. The term "proxy statement" means the statement required by § 240.14a-3 (a), whether or not contained in a single document.

Solicitation. The term "solicitation" includes (1) any request for a proxy whether or not accompanied by or included in a form of proxy, (2) any request to revoke a proxy or not to execute a proxy, (3) any request to execute a proxy, (4) the furnishing of a form of proxy to security holders under circumstances reasonably calculated to result in the procurement of a proxy. The term does not apply, however, to the furnishing of a form of proxy to a security holder upon the unsolicited request of such security holder, the performance by the issuer of acts required by § 240.14a-7, or the performance by any person of ministerial acts on behalf of a person soliciting a proxy.

§ 240.14a-2 *Solicitations to which rules apply.* The rules contained in the regulations in this part apply to every solicitation of a proxy with respect to securities listed and registered on a national securities exchange, except the following:

(a) Any solicitation made otherwise than by or on behalf of the management of the issuer where the total number of persons solicited is not more than 10.

(b) Any solicitation in respect of securities of a registered public utility holding company or a subsidiary company thereof if there are no public holders of such securities.

(c) Any solicitation by a person in respect of securities carried in his name or in the name of his nominee, otherwise than as voting trustee, or held in his custody, if such person (1) receives no commission or remuneration for such solicitation, directly or indirectly, other than reimbursement of reasonable expenses, and (2) merely furnishes to the person solicited, subject to reimbursement of reasonable expenses, a copy of all soliciting material received from all persons on whose behalf a solicitation is made with respect to the same subject matter or meeting.

(d) Any solicitation by a person in respect of securities of which he is the beneficial owner.

(e) Any solicitation involved in the offer or sale of a certificate of deposit or other security registered under the Securities Act of 1933.

(f) Any solicitation with respect to a plan of reorganization under Chapter X of the Bankruptcy Act, as amended, if made after the entry of an order approving such plan pursuant to section 174 of said act and after, or concurrently with, the transmittal of information concerning such plan as required by section 175 of said act.

(g) Any solicitation which is subject to Rule U-62 under the Public Utility Holding Company Act of 1935.

(h) Any solicitation through the medium of a newspaper advertisement which informs security holders of a source from which they may obtain copies of a proxy statement, form of proxy and any other soliciting material and does not more than (1) name the issuer, (2) state the reason for the advertisement, and (3) identify the proposal or proposals to be acted upon by security holders.

§ 240.14a-3 *Information to be furnished security holders.* (a) No solicitation subject to this regulation shall be made unless each person solicited is concurrently furnished or has previously been furnished with a written proxy statement containing the information specified in Schedule 14A.

(b) If the solicitation is made by the management of the issuer and relates to an annual meeting of security holders at which directors are to be elected, each proxy statement furnished pursuant to paragraph (a) of this section shall be accompanied or preceded by an annual report to security holders containing such financial statements for the last fiscal year as will, in the opinion of the management, adequately reflect the financial position and operations of the issuer. Such annual report, including financial statements, may be in any form deemed suitable by the management. This paragraph shall not apply, however, to solicitations made by the management before the financial statements are

available if solicitation is being made at the time in opposition to the management and if the management's proxy statement includes an undertaking in bold-face type to furnish such annual report to all persons being solicited, at least 20 days before the date of the meeting.

(c) Three copies of any annual report to security holders pursuant to this rule shall be mailed to the Commission, solely for its information, not later than the date on which such report is first sent or given to security holders. The annual report is not deemed to be "soliciting material" or to be "filed" with the Commission or otherwise subject to this regulation or to the liabilities of section 18 of the act, unless the issuer specifically requests that it be treated as part of the proxy soliciting material or incorporates it in the proxy statements by reference.

§ 240.14a-4 *Requirements as to form of proxy.* (a) The form of proxy shall identify clearly and impartially each matter or group of related matters which is intended to be acted upon, whether proposed by the management or by security holders. Means shall be provided in the form of proxy whereby the person solicited is afforded an opportunity to specify by ballot a choice between approval or disapproval of each matter or group of related matters, other than elections to office, which is intended to be acted upon. The proxy shall provide that the shares represented thereby will be voted in accordance with the specifications so made.

(b) A proxy may confer discretionary authority with respect to matters as to which the person solicited does not make the specification provided for above, if the form of proxy contains a statement in bold-face type that if the ballot is not marked it is intended that the shares represented by the proxy will be voted in a specified manner. A proxy may also confer discretionary authority with respect to matters which the persons making the solicitation are not aware will be presented for action pursuant to the proxy. No proxy should confer authority to vote for the election of any person to any office for which a bona fide nominee is not named in the proxy statement.

(c) Every printed form of proxy shall be set in type at least as legible as 10-point leaded type.

§ 240.14a-5 *Presentation of information in proxy statement.* (a) The information included in the proxy statement shall be clearly presented and the statements made shall be divided into groups according to subject matter and the various groups of statements shall be preceded by appropriate headings. The order of items and sub-items in the schedule need not be followed. Where practicable and appropriate, the information shall be presented in tabular form. All amounts shall be stated in figures. Information required by more than one applicable item need not be repeated. No statement need be made in response to any item or sub-item which is inapplicable.

(b) Any information required to be included in the proxy statement as to terms

of securities or other subject matter which from a standpoint of practical necessity must be determined in the future may be stated in terms of present knowledge and intention. To the extent practicable, the authority to be conferred concerning each such matter shall be confined within limits reasonably related to the need for discretionary authority. Subject to the foregoing, information which is not known to the person making the solicitation and which it is not reasonably within the power of such persons to ascertain or procure may be omitted, if a brief statement of the circumstances rendering such information unavailable is made.

(c) There may be omitted from the proxy statement any information contained in any other proxy soliciting material which has been furnished to each person solicited in connection with the same meeting or subject matter if a clear reference is made to the place where such information appears.

(d) All printed proxy statements shall be set in type at least as legible as 10-point leaded type except that to the extent necessary for convenient presentation financial statements may be set in type at least as legible as 8-point leaded type.

§ 240.14a-6 Material required to be filed. (a) Three preliminary copies of the proxy statement and form of proxy and any other soliciting material to be furnished to security holders concurrently therewith shall be filed with the Commission not later than ten days prior to the date definitive copies of such material are first sent or given to security holders, or such lesser number of days prior to such date as the Commission may authorize upon a showing of good cause therefor. Copies filed pursuant to this paragraph or paragraph (b) of this section shall be clearly marked "Preliminary Copies" and shall be for the information of the Commission only, except that such material may be disclosed to any person in connection with the Commission's review thereof.

(b) Three preliminary copies of any additional soliciting material, relating to the same meeting or subject matter, furnished to security holders subsequent to the proxy statement shall be filed with the Commission not later than two days (exclusive of Saturdays, Sundays or holidays) prior to the date copies of such material are first sent or given to security holders, or such lesser number of days prior to such date as the Commission may authorize upon a showing of good cause therefor. Copies of replies, other than form letters, to inquiries from security holders requesting further information need not be filed pursuant to this paragraph.

(c) Three definitive copies of the proxy statement, form of proxy and all other soliciting material, in the form in which such material is furnished to security holders, shall be filed with, or mailed for filing to, the Commission not later than the date such material is first sent or given to any security holders. Three copies of such material shall at the same time be filed with, or mailed for filing to, each national securities exchange upon which any security in respect of which

the solicitation is made is listed and registered.

(d) If the solicitation is to be made in whole or in part by personal solicitation, three copies of all written instructions, question-and-answer sheets, problem sheets, manuals, or other material, furnished to the individuals making the actual solicitation for their use directly or indirectly in connection with the solicitation shall be filed with the Commission by the persons on whose behalf the solicitation is made not later than five days prior to the date copies of such material are first sent or given to such individuals, or such lesser number of days prior to such date as the Commission may authorize upon a showing of good cause therefor. Any such material previously filed with the Commission may be incorporated by reference.

(e) All material filed pursuant to paragraph (a), (b), or (c) of this section shall be accompanied by a statement of the date upon which copies thereof are intended to be, or have been, released to security holders. All material filed pursuant to paragraph (d) of this section shall be accompanied by a statement of the date upon which copies thereof are intended to be released to the individuals who will make the actual solicitation.

NOTE: Where preliminary copies of material are filed with the Commission pursuant to this rule, the printing of definitive copies for distribution to security holders should be deferred until the comments of the Commission's staff have been received and considered.

§ 240.14a-7 Mailing communications for security holders. If the management of the issuer has made or intends to make any solicitation subject to this regulation, the issuer shall perform such of the following acts as may be duly requested by any qualified security holder of the issuer with respect to the same subject matter or meeting:

(a) At the written request of such security holder, the issuer shall mail or otherwise furnish the following information as promptly as practicable after the receipt of such request:

(1) A statement of the approximate number of holders, of record or otherwise, of any class of securities, any of the holders of which have been or are to be solicited by or on behalf of the management or any group of such holders which the security holder shall designate: *Provided*, That such security holder shall bear the cost of determining the approximate number of persons in any group other than the group solicited or to be solicited by the management.

(2) An estimate of the cost of mailing a specified form of proxy or other communication to such holders, including the estimated reasonable expenses in connection with the mailing of such material by persons specified in § 240.14a-2 (c).

(b) At the written request of such security holder, copies of any proxy statement, form of proxy or other communication furnished by the security holder shall be mailed by the issuer to holders, of record or otherwise, of any class of

securities which have been or are to be solicited by or on behalf of the management or any group of such holders which the security holder shall designate. Such material shall be mailed with reasonable promptness after receipt of a tender of the material to be mailed, of envelopes or other containers therefor, of postage or payment for postage, and of reasonable reimbursement of all expenses incurred in connection with such mailing; except that such material need not be mailed prior to the first day on which the solicitation is made on behalf of the management. Neither the management nor the issuer shall be responsible for such proxy statement, form of proxy or other communication.

(c) In lieu of performing the acts specified in paragraph (a) or (b) of this section, the management of the issuer may, at its option, furnish promptly to such security holder a reasonably current list of all holders, of record or otherwise, of any class of securities, or of any group of such holders which the security holder shall designate, any of the holders of which have been or are to be solicited on behalf of the management.

§ 240.14a-8 Proposals of security holders. (a) If a qualified security holder of the issuer has given the management reasonable notice of his intention to present for action at a meeting of security holders of the issuer a proposal which is a proper subject for action by the security holders, the management shall identify the proposal in its form of proxy and shall provide means by which security holders can make a specification as provided in § 240.14a-4 (a). Notice of such intention given with respect to an annual meeting more than 30 days in advance of a day corresponding to the date on which proxy soliciting material was released to security holders in connection with the last annual meeting of security holders shall, *prima facie*, be deemed reasonable notice. This rule does not apply, however, to elections to office.

(b) If the management opposes such proposal, it shall, upon the request of such security holder, include in its proxy statement the name and address of such security holder and a statement of such security holder setting forth, in not more than 100 words, the reasons advanced by him in support of such proposal. Neither the management nor the issuer shall be responsible for such statement.

(c) If in any case the management asserts that the foregoing provisions of this section do not apply, either because the proposed action is not a proper subject for action by the security holders or because the management did not receive reasonable notice thereof, it shall file with the Commission not later than the date preliminary copies of the proxy statement and form of proxy are filed pursuant to § 240.14a-6 (a), a copy of the proposal as received from the security holder, together with a statement of the reasons why the foregoing provisions of the section are deemed not to apply. However, compliance with this paragraph shall not be construed as relieving the management of its obligation to comply fully with the foregoing provisions of this section.

§ 240.14a-9 False or misleading statements. No solicitation subject to the regulations in this part shall be made by means of any proxy statement, form of proxy, notice of meeting, or other communication, written or oral, containing any statement which, at the time and in the light of the circumstances under which it is made, is false or misleading with respect to any material fact, or which omits to state any material fact necessary in order to make the statements therein not false or misleading or necessary to correct any statement in any earlier communication with respect to the solicitation of a proxy for the same meeting or subject matter which has become false or misleading.

SCHEDULE 14A—INFORMATION REQUIRED IN PROXY STATEMENT

Item 1: Revocability of proxy. State whether or not the person giving the proxy has the power to revoke it. If it is asserted that the right of revocation before the proxy is exercised is limited, outline the limitation and state the basis for such assertion.

Item 2: Dissenters' right of appraisal. Outline briefly the rights of appraisal or similar rights of dissenters with respect to any matter to be acted upon and indicate what steps must be taken by dissenting security holders in order to perfect such rights. Where such rights may be exercised only within a limited time after the date of the adoption of a proposal, the filing of a charter amendment or other similar act, state whether the person solicited will be notified of such date.

Item 3: Persons making the solicitation. (a) If the solicitation is made on behalf of the management of the issuer, so state. Give the name of any director of the issuer who to the knowledge of the management intends to oppose any action intended to be taken by the management and indicate the action which he intends to oppose.

(b) If the solicitation is made otherwise than by or on behalf of the management of the issuer, give the names of the persons by whom or on whose behalf it is made.

(c) State the general character of the solicitation being made and the names of the persons by whom, directly or indirectly, the cost thereof has been or will be borne.

(d) If the solicitation is made by special employees of the issuer or other paid solicitors, state (1) the character of such solicitation, (2) the cost or anticipated cost thereof and the material features of the arrangement, if any, for the payment thereof, and (3) the approximate number of special employees of the issuer or employees of any other person (naming such other person) who will solicit proxies.

(e) State the approximate aggregate amount of each class of securities of the issuer owned beneficially by the persons by whom or on whose behalf the solicitation is made and their associates, as a group. If no securities of the issuer are so owned, make a statement to that effect.

Item 4: Interest of certain persons in matters to be acted upon. (a) Describe briefly any substantial interest, direct or indirect, of each of the following persons in any matter to be acted upon:

(1) Each person on whose behalf the solicitation is made.

(2) If the solicitation is made on behalf of the management, each person who acted as a director or officer of the issuer at any time since the beginning of the last fiscal year.

(3) Each nominee for election as a director of the issuer.

(4) Each associate of the foregoing persons.

(b) No statement need be made as to any interest arising solely by reason of being a director, officer or nominee for office. The

ownership of securities is not deemed a substantial interest where the matter to be acted upon is a stock split-up or an increase or decrease in the amount of authorized securities, otherwise than for issuance to the persons specified, through options, warrants or rights, or otherwise.

Item 5: Voting securities and principal holders thereof. (a) State as to each class of voting securities of the issuer entitled to be voted at the meeting, the number of shares outstanding and the number of votes to which each class is entitled.

(b) If action is to be taken with respect to the election of directors and if the persons solicited have cumulative voting rights, make a statement that they have such rights and state briefly the conditions precedent to the exercise thereof.

(c) If to the knowledge of the persons on whose behalf the solicitation is made, any person owns of record or beneficially more than 10 percent of the outstanding voting securities of the issuer, name such person, state the approximate amount of securities owned of record or beneficially by such person and the percentage of outstanding voting securities represented by the amount of securities so owned. In computing the total amount owned, add to the amount owned beneficially the amount which is owned of record but not owned beneficially.

Item 6: Nominees for election as directors. (a) If action is to be taken with respect to the election of directors, name the persons nominated for election as directors and the term of office for which they are candidates.

(b) If any such nominee is proposed to be elected pursuant to any arrangement or understanding between the nominee and any other person or persons, except the directors and officers of the issuer acting solely in that capacity, describe briefly such arrangement or understanding.

(c) Furnish, in tabular form to the extent practicable the following information with respect to each person nominated for election as a director:

(1) State the principal occupation or employment of such nominee and the name and principal business of the corporation or other organization, if any, in which such employment is carried on.

(2) If the nominee is or has previously been a director of the issuer, state the period or periods during which he has served as such.

(3) State, as of the most recent practicable date, the approximate amount of each class of securities of the issuer beneficially owned, directly or indirectly, by such nominee. If the nominee is not the beneficial owner of any securities of the issuer, make a statement to that effect.

(4) If more than 10 percent of any class of securities are beneficially owned by such nominee and his associates, state the approximate amount of each class of securities beneficially owned by such associate, naming each associate whose holdings are substantial.

(d) Describe briefly the business experience of such nominee during the last five years unless such nominee is now a director and was elected to his present term of office by a vote of security holders.

Item 7: Remuneration and other transactions with directors, nominees, officers and others. Furnish the information called for by this item if action is to be taken with respect to (1) the election of directors, (2) any bonus, profit-sharing, or other remuneration plan in which any director, nominee for election as a director, or officer of the issuer, will participate, (3) any pension or retirement plan in which any such person will participate, or (4) the granting or extension to any such person of any options, warrants or rights to purchase securities of the issuer or any subsidiary. If the solicitation is made on behalf of the management of the issuer, the entire item is to be answered.

In the case of other solicitations, the information required by paragraph (a) may be omitted, and the information required by the remaining paragraphs need be furnished only as to the nominees for election as directors and as to their associates. The information shall be furnished in tabular form insofar as practicable and on an accrual basis if practicable.

(a) Give the following information in tabular form as to amounts paid or set aside, directly or indirectly, by the issuer and its subsidiaries to or for the benefit of directors and officers of the issuer, as a group, during the last fiscal year of the issuer:

(1) Fees and salaries of directors and officers.

(2) Bonuses and shares in profits paid to directors and officers.

(3) Pension, retirement or other similar payments for the benefit of directors and officers.

If any of the above amounts exceeded by more than 10 percent the corresponding amount for the previous year, state the amount of such excess.

(b) Furnish the following information for the last fiscal year of the issuer with respect to each of the following persons whose aggregate remuneration from the issuer and its subsidiaries exceeded \$20,000, exclusive of amounts paid or set aside pursuant to any pension or retirement plan: (i) each director of the issuer, (ii) each nominee for election as such a director, (iii) each of the five highest-paid officers of the issuer, naming each such person:

(1) State the aggregate remuneration received by such director, nominee or officer from the issuer and its subsidiaries directly or indirectly. If the amount received exceeds by more than 10 percent the total amount of his remuneration for the previous fiscal year, state the amount of such excess.

(2) State the amount paid or set aside by the issuer and its subsidiaries for the benefit of such director, nominee, or officer, pursuant to each pension or retirement plan of the issuer and its subsidiaries. Give the amount of the annual benefits estimated to be payable to such director, nominee or officer in the event of retirement at normal retirement date. Except as to persons whose retirement benefits have already vested, the benefits estimated to be payable upon retirement may be given in a table showing the annual benefits payable to persons in specified salary classifications.

(c) Describe all transactions since the beginning of the last fiscal year of the issuer in which any director, nominee for election as a director, or officer received remuneration, directly or indirectly, from the issuer and its subsidiaries in the form of securities, options, warrants, rights or other property, or through the exercise or disposition thereof. As to options, warrants or rights granted or extended, give (1) the title and amount of securities called for; (2) the prices, expiration dates and other material provisions; (3) the consideration received for the granting thereof, and (4) the market value of the securities called for on the granting or extension date. As to options, warrants or rights exercised, state (1) the title and amount of securities purchased; (2) the purchase price, and (3) the market value of the securities purchased on the date of purchase.

(d) State the largest aggregate amount of indebtedness of any director, nominee for election as a director, or officer to the issuer and its subsidiaries outstanding at any time since the beginning of the last fiscal year of the issuer, the nature of such indebtedness, the amount thereof outstanding as of the latest practicable date, and the rate of interest paid or charged thereon. No information need be given as to indebtedness arising from transactions in the ordinary course of business, or where the aggregate amount of such indebtedness has never exceeded \$1,000.

(e) Describe briefly any material interest, direct or indirect, of any director, nominee for election as a director, or officer of the issuer, or any associate of any such person in any significant transactions since the beginning of the last fiscal year of the issuer, or in any proposed transactions, to which the issuer or any subsidiary and any such director, nominee, officer or associate were or are to be parties. If the transaction involved or is to involve the purchase or sale of property by or to the issuer or any subsidiary, state the cost of the property to the purchaser, and the cost thereof to the seller if acquired by the seller within two years prior to the transaction.

(f) Name each of the following persons whose aggregate remuneration from the issuer and its subsidiaries for services during the last fiscal year exceeded \$20,000 and state the aggregate amount of remuneration received by each such person and the capacity in which it was received:

(1) Each person controlling or under common control with the issuer;

(2) Each subsidiary (other than majority-owned subsidiaries) of the issuer;

(3) Each voting trustee of any securities of the issuer;

(4) Each security holder named in response to Item 5 (c), and

(5) Each associate of any such voting trustee or security holder, or of any director, nominee for election as a director, or officer of the issuer.

Item 8: Selection of Auditors. If action is to be taken with respect to the selection of auditors, or if it is proposed that particular auditors shall be recommended for selection by any committee to select auditors for which votes, pursuant to the proxy, are to be cast, name the auditors and describe briefly any material relationship of such auditors or any of their associates with the issuer or any of its affiliates.

Item 9: Bonus, profit sharing and other remuneration plans. If action is to be taken with respect to any bonus, profit sharing or other remuneration plan, furnish the following information:

(a) Describe briefly the material features of the plan, identify each class of persons who will participate therein, indicate the approximate number of persons in each such class and state the extent of such participation.

(b) State separately the amounts which would have been distributable under the plan during the last fiscal year of the issuer (1) to directors and officers and (2) to employees if the plan had been in effect.

(c) State the per-share cost of the plan to the common stockholders of the issuer for the last fiscal year of the issuer if the plan had been in effect.

(d) State the name and position with the issuer of each person specified in Item 7 (b), who will participate in the plan and the amount which each such person would have received under the plan for the last fiscal year of the issuer if the plan had been in effect.

(e) State separately the amounts distributed to or set aside for (1) directors and officers and (2) employees during the last fiscal year of the issuer under any other bonus, profit sharing, pension or retirement plan of the issuer or its subsidiaries, the general nature of such other plan, and the amount distributed or set aside thereunder to or for each person specified in Item 7 (b) who will participate in the plan to be acted upon.

(f) If the plan to be acted upon can be amended otherwise than by a vote of stockholders, to increase the cost or to alter the allocation of the benefits as between the groups specified in (b), state the nature of the amendments which can be so made.

Item 10: Pension and retirement plans. If action is to be taken with respect to any

pension or retirement plan, furnish the following information:

(a) Describe briefly the material features of the plan, identify each class of persons who will participate therein, indicate the approximate number of persons in each such class and state the basis of such participation.

(b) State the estimated annual payments to be made by the issuer and its subsidiaries pursuant to the plan with respect to (1) past services and (2) future services. State separately the amounts of each such payment which will be made for the benefit of (i) directors and officers and (ii) employees.

(c) State the per share cost of the plan to the common stockholders of the issuer for the last fiscal year of the issuer if the plan had been in effect.

(d) State the name and position with the issuer of each person specified in Item 7 (b) who will participate in the plan, the amount which would have been paid or set aside by the issuer and its subsidiaries for the benefit of such person for the last fiscal year of the issuer if the plan had been in effect, and the amount of the annual benefits estimated to be payable to such person in the event of retirement at normal retirement date.

(e) State separately the amounts distributed or set aside for (1) directors and officers and (2) employees during the last fiscal year of the issuer under any other bonus, profit sharing, pension or retirement plan of the issuer or its subsidiaries, the general nature of such other plan, and the amount distributed or set aside thereunder to or for each person specified in Item 7 (b) who will participate in the plan to be acted upon.

(f) If the plan to be acted upon can be amended otherwise than by a vote of stockholders to increase the cost or to alter the allocation of the benefits as between the groups specified in (b), state the nature of the amendments which can be so made.

Item 11: Options, warrants, or rights. If action is to be taken with respect to the granting or extension of any options (including warrants or rights) to purchase securities of the issuer or any subsidiary, furnish the following information:

(a) The title and amount of the securities to be called for by such options.

(b) A brief outline of the prices, expiration dates and other material conditions upon which the options may be exercised.

(c) The consideration to be received by the issuer or subsidiary for the granting or extension of the options.

(d) The market value of the securities called for by the options as of the latest practicable date.

(e) State the name of each director, nominee for election as a director, or officer of the issuer, or any associate of such person who is to receive any of such options and the amount called for by the options to be received by each such person. State also the name and address of any other person who is to receive options calling for five percent or more of the amount subject to such options and the amount called for by the options to be received by each such person. This paragraph does not apply to warrants or rights to be issued to security holders on a pro rata basis.

Item 12: Authorization or issuance of securities otherwise than in exchange. If action is to be taken with respect to the issuance or authorization for issuance, of any securities, otherwise than in exchange for outstanding securities of the issuer, furnish the following information:

(a) State the title and the amount of securities to be authorized or issued.

(b) Furnish the information which would be required to be furnished under the caption "Description of Securities" in the appropriate form for registration of such securities on a national securities exchange.

(c) Describe briefly the transaction in which the securities are to be issued, including a statement as to (1) the nature and approximate amount of consideration received or to be received by the issuer, and (2) the approximate amount devoted to each purpose, so far as determinable, for which the net proceeds have been or are to be used.

(d) If the securities are to be issued otherwise than to the general public for cash, state the reasons for the proposed authorization or issuance, the general effect thereof upon the rights of existing security holders, and the vote needed for approval.

Item 13: Modification or exchange of securities. If action is to be taken with respect to the modification of any class of securities of the issuer, or the issuance, or authorization for issuance, of securities of the issuer in exchange for outstanding securities of the issuer, furnish the following information:

(a) If outstanding securities are to be modified, state the title and amount thereof. If securities are to be issued in exchange for outstanding securities, state the title and amount of securities to be so issued, the title and amount of outstanding securities to be exchanged therefor and the basis of the exchange.

(b) Describe briefly any material differences between the outstanding securities and the modified or new securities, in respect of any of the matters concerning which information would be required to be furnished under the caption "Description of Securities" in the appropriate form for registration of such securities on a national securities exchange.

(c) State the reasons for the proposed modification or exchange, the general effect thereof upon the rights of existing security holders, and the vote needed for approval.

(d) Furnish a brief statement as to arrears in dividends or as to defaults in principal or interest in respect of the outstanding securities which are to be modified or exchanged and such other statistical information as may be appropriate in the particular case to disclose adequately the nature and effect of the proposed action.

(e) Outline briefly any other material features of the proposed modification or exchange. If the plan of proposed action is set forth in a written document, file a copy thereof with the Commission.

Item 14: Mergers, consolidations, acquisitions and similar matters. Furnish the following information if action is to be taken with respect to any plan for (i) the merger or consolidation of the issuer into or with any other person or of any other person into or with the issuer, (ii) the acquisition by the issuer or any of its security holders of securities of another issuer, (iii) the acquisition by the issuer of any other going business or of the assets thereof, (iv) the sale or other transfer of all or any substantial part of the assets of the issuer, or (v) the liquidation or dissolution of the issuer:

(a) Outline briefly the material features of the plan. State the reasons therefor, the general effect thereof upon the rights of existing security holders, and the vote needed for its approval. If the plan is set forth in a written document, file a copy thereof with the Commission.

(b) Furnish the following information as to each person which is to be merged into the issuer or into or with which the issuer is to be merged or consolidated or the business or assets of which are to be acquired or which is the issuer of securities to be acquired by the issuer in exchange for all or a substantial part of its assets or to be acquired by security holders of the issuer.

(1) Describe briefly the business of such person. Information is to be given regarding pertinent matters such as the nature of the products or services, methods of production, markets, methods of distribution and the sources and supply of raw materials. If the business is materially dependent upon

particular patents, patent rights, trademarks, licenses or contracts, an appropriate description thereof shall be given. The extent to which the business is seasonal and the degree of competition to which it is subject shall also be indicated.

(2) State the location and describe the general character of the plants and other important physical properties of such a person. The description is to be given from an economic and business standpoint, as distinguished from a legal standpoint. State the nature of the title under which such properties are held, noting any material defects therein or liens thereon. Outline briefly the principal terms of any lease or lease and option with respect to any such property.

(3) Furnish a brief statement as to dividends in arrears or defaults in principal or interest in respect of any securities of the issuer or of such person, and as to the effect of the plan thereon and such other statistical information as may be appropriate in the particular case to disclose adequately the nature and effect of the proposed action.

(c) As to each class of securities of the issuer, or of any person, specified in paragraph (b), which is admitted to dealing on a national securities exchange or with respect to which a market otherwise exists, and which will be involved in or materially affected by the plan, state the high and low sale prices (or, in the absence of trading in a particular period, the range of the bid and asked prices) for each quarterly period within two years. This information may be omitted if the plan involves merely the liquidation or dissolution of the issuer.

Item 15: Financial statements. (a) If action is to be taken with respect to any matter specified in Item 12, 13, or 14 above, furnish certified financial statements of the issuer and its subsidiaries such as would currently be required in an original application for registration of securities of the issuer under the Act. All schedules other than the schedules of supplementary profit and loss information may be omitted.

(b) If action is to be taken with respect to any matter specified in Item 14 (b), furnish financial statements such as would currently be required in an original application by any person specified therein for registration of securities under the act. Such state-

ments need not be certified and all schedules other than the schedules of supplementary profit and loss information may be omitted. However, such statements may be omitted for (i) a totally-held subsidiary of the issuer which is included in the consolidation statement of the issuer and its subsidiaries, or (ii) a person which is to succeed to the issuer or to the issuer and one or more of its totally-held subsidiaries under such circumstances that Form 8-B would be appropriate for registration of securities of such person issued in exchange for listed securities of the issuer.

(c) Notwithstanding paragraphs (a) and (b) above, any or all of such financial statements which are not material for the exercise of prudent judgment in regard to the matter to be acted upon may be omitted if the reasons for such omission are stated. Such financial statements are deemed material to the exercise of prudent judgment in all cases involving the authorization or issuance of any material amount of senior securities. Except in unusual cases financial statements are not deemed material in cases involving the authorization or issuance of common stock, otherwise than in exchange.

Item 16: Acquisition or disposition of property. If action is to be taken with respect to the acquisition or disposition of any property, furnish the following information:

(a) Describe briefly the general character and location of the property.

(b) State the nature and amount of consideration to be paid or received by the issuer or any subsidiary. To the extent practicable, outline briefly the facts bearing upon the question of the fairness of the consideration.

(c) State the name and address of the transferor or transferee, as the case may be, and the nature of any material relationship of such person to the issuer or any person controlling, controlled by or under common control with the issuer.

(d) Outline briefly any other material features of the contract or transaction.

Item 17: Restatement of accounts. If action is to be taken with respect to the restatement of any asset, capital, or surplus account of the issuer, furnish the following information:

(a) State the nature of the restatement and the date as of which it is to be effective.

(b) Outline briefly the reasons for the restatement and for the selection of the particular effective date.

(c) State the name and amount of each account (including any reserve accounts) affected by the restatement and the effect of the restatement thereon.

(d) To the extent practicable, state whether and the extent, if any, to which, the restatement will, as of the date thereof, alter the amount available for distribution to the holders of equity securities.

Item 18: Action with respect to reports. If action is to be taken with respect to any report of the issuer or of its directors, officers or committees or any minutes of meetings of its stockholders, furnish the following information:

(a) State whether or not such action is to constitute approval or disapproval of any of the matters referred to in such reports or minutes.

(b) Identify each of such matters which it is intended will be approved or disapproved, and furnish the information required by the appropriate item or items of this schedule with respect to each such matter.

Item 19: Matters not required to be submitted. If action is to be taken with respect to any matter which is not required to be submitted to a vote of security holders, state the nature of such matter, the reasons for submitting it to a vote of security holders, the general effect of such submission, and the effect of a negative vote on the matter.

Item 20: Amendment of charter, by-laws or other documents. If action is to be taken with respect to any amendment of the issuer's charter, by-laws or other documents as to which information is not required above, state briefly the reasons for and general effect of such amendment and the vote needed for its approval.

Item 21: Other proposed action. If action is to be taken with respect to any matter not specifically referred to above, describe briefly the substance of each such matter in substantially the same degree of detail as is required by Items 5 to 20, inclusive, above.

[F. R. Doc. 47-9274; Filed, Oct. 15, 1947; 8:55 a. m.]

NOTICES

FEDERAL POWER COMMISSION

[Docket Nos. G-200, G-207]

PANHANDLE EASTERN PIPE LINE CO.

FINDINGS AND ORDER FIXING DATE OF HEARING

In the matter of City of Detroit, Michigan, and County of Wayne, Michigan, v. Panhandle Eastern Pipe Line Company, and Michigan Gas Transmission Corporation, Docket No. G-200; Panhandle Eastern Pipe Line Company, Michigan Gas Transmission Corporation, and Illinois Natural Gas Company, Docket No. G-207.

On September 8, 1947, Michigan Consolidated Gas Company ("Michigan Consolidated") filed with the Commission an "Application for Rehearing and Other Relief" in which it requests, among other things, the following:

* * * that the Federal Power Commission (hereinafter referred to as "Commis-

sion") without further proceedings, vacate and rescind its "finding" dated August 16, 1947, in the above-entitled dockets and its letters of August 8, 1947, referred to in said "finding"; and in the light of such "finding" and letters, Michigan Consolidated further requests that the Commission grant a rehearing on its order of November 2, 1945, allowing the rate schedules of Panhandle Eastern Pipe Line Company (hereinafter referred to as "Panhandle Eastern") to take effect, in so far as and to the extent that said order may relate to any provisions of said rate schedules other than those provisions which determine rates and charges.¹

¹ The Prayer for Relief as set forth in the "Application for Rehearing and Other Relief" specifically requests as follows:

Wherefore, Michigan Consolidated respectfully requests that the Commission, without further proceedings, vacate and rescind its "finding" dated August 16, 1947, in the above-entitled dockets and its letters of August 8, 1947, referred to in said "finding"; and in the light of such "finding" Michigan Consoli-

The Commission's order of November 2, 1945 (on which a rehearing is now sought), allowing the rate schedules of Panhandle Eastern Pipe Line Company (hereinafter referred to as "Panhandle") to take effect was issued by the Commission after a public hearing had been held with respect thereto. At such hearing all parties including Michigan Consolidated, were given full opportunity to be heard with respect to the reasonableness and propriety of the revised rate schedules, then under consideration, which had been tendered for filing by Panhandle on September 12, 1945, in accordance with an order of

dated further requests that the Commission grant a rehearing on its order of November 2, 1945, allowing the rate schedules of Panhandle Eastern to take effect, insofar as and to the extent that said order may relate to any provisions of said rate schedules other than those provisions which determine rates and charges.

the Commission issued on September 23, 1942.²

Although Michigan Consolidated was fully cognizant of the meaning and effect of the rate schedules which had been tendered by Panhandle on September 12, 1945, and the Commission's order of November 2, 1945, it did not apply to the Commission for rehearing in accordance with the provisions of section 19 (a) of the Natural Gas Act, or file with the court a petition for review in accordance with the provisions of section 19 (b) of the act.

It is now beyond the Commission's statutory authority to grant a rehearing upon the belated application of Michigan Consolidated filed almost two years after the action complained of was taken by the Commission.

The letters dated August 8, 1947, referred to by Michigan Consolidated in its "Application for Rehearing and Other Relief" were only notifications to Michigan Consolidated and Panhandle that the Commission considered certain of their transactions to be violations of the terms of a lawful rate schedule on file with the Commission. Although not required so to do, the Commission advised each of the companies concerning the legal action it contemplated taking to enforce the provisions of a lawfully filed rate schedule.

The Commission's action of August 16, 1947, incorrectly referred to by Michigan Consolidated as a "finding" was, in fact, only a "minute" entered by the Commission to indicate the basis for its authorization to institute legal proceedings in the United States District Court at Detroit, Michigan to enjoin violations of the Natural Gas Act and this Commission's rules, regulations and orders thereunder. The "minute" likewise was intended to

show the authority of Commission counsel to file a complaint.

The minute not being an order of the Commission is not the proper subject for a petition for rehearing.

Upon consideration of the "Application for Rehearing and Other Relief" it appears that no factual or legal basis has been stated for granting the relief sought therein, and such application should be dismissed. It will be so ordered.

An examination of the petition for rehearing, however, indicates that there is one principal issue complained of by Michigan Consolidated. This issue involves an interpretation of the terms of Supplement No. 5 to Panhandle's Rate Schedule FPC No. 12.

Although we have found that the petition for rehearing as prayed for should be dismissed, the Commission is of the opinion that it is in the public interest to hold a hearing on the issue of whether Michigan Consolidated has violated Panhandle Eastern's Rate Schedule FPC No. 12, as supplemented.

Information obtained as a result of an examination of the books and records of Michigan Consolidated indicates that Panhandle has been and may now be selling and delivering to Michigan Consolidated and Michigan Consolidated has been and may now be purchasing and receiving from Panhandle natural gas on a firm basis to supply certain requirements of more than 1,200,000 therms, which requirements were not being supplied from gas purchased from Panhandle on a firm basis prior to October 1, 1945; the sale and delivery of such natural gas by Panhandle and the purchase and receipt thereof by Michigan Consolidated may be violative of Panhandle's Rate Schedule FPC No. 12 as supplemented, particularly by Supplement No. 5 thereto.

Wherefore, in addition to the foregoing, the Commission further finds:

(1) No good cause has been shown for granting the "Application for Rehearing and Other Relief" filed by Michigan Consolidated September 8, 1947, and such application should be dismissed.

(2) It is necessary and proper in order to determine whether Panhandle or Michigan Consolidated, or both, has violated or is about to violate the provisions of the Natural Gas Act and the Commission rules, regulations and orders thereunder to hold a public hearing concerning the facts and circumstances pertaining to the sale and delivery of natural gas by Panhandle to Michigan Consolidated and the purchase and receipt of natural gas by Michigan Consolidated from Panhandle on a firm basis to supply the specific requirements of the individual customers named in paragraph (B) hereof;

The Commission orders that:

(A) Michigan Consolidated Gas Company's "Application for Rehearing and Other Relief" filed September 8, 1947, be and the same is hereby dismissed.

(B) A public hearing be held on January 12, 1948 in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., at 10:00 a. m. (e. s. t.), concerning the facts and circumstances pertaining to the sale and delivery of natural gas by Panhandle to Michigan Consolidated and the purchase and receipt of such gas by Michigan Consolidated on a firm basis to supply the requirements of the following named individual customers using more than 1,200,000 therms, which requirements were not being supplied from gas purchased from Panhandle on a firm basis prior to October 1, 1945:

Customer	Location	Quantity in therms		Type of service
		1946 (actual)	1947 (actual first 6 months)	
Briggs Manufacturing Co.	3133 Miller	1,280,000	825,000	Firm.
Chrysler Corp.	12229 East Jefferson	810,000	540,000	Do.
Do.	7056 Lynch Road	880,000	990,000	Do.
Ford Motor Co.	River Rouge Plant		3,690,000	Interruptible boiler fuel.
Great Lakes Steel Corp.	Tecumseh Road	12,050,000	4,280,000	Interruptible.
Do.	Mill Road		342,000	Do.
Do.	do.			Interruptible boiler fuel.
Solvay Process Co.	7501 West Jefferson	10,290,000	5,831,000	Interruptible.
Briggs Manufacturing Co.	11631 Mack Street		770,000	Interruptible boiler fuel.
General Motors Corp.	1901 East Euclid	2,400,000	1,200,000	Do.
Briggs Manufacturing Co.	3001 Miller Road	1,400,000	280,000	Do.
Chrysler Corp.	341 Massachusetts	2,300,000	1,712,000	Firm.
Timken Detroit Axle Co.	Dumfries and Viseger Streets	896,000	550,000	Do.
Chrysler Corp.	8901 Saint Aubin	184,470	530,000	Do.
General Motors Corp.	6334 Lynch Road	3,369,000	2,535,000	Do.
Do.	1901 East Euclid (Chevrolet crankshaft)	896,000	620,000	Do.
Hudson Motor Car Co.	12601 East Jefferson	871,000	520,000	Do.
Monsanto Chemical Co.	Toledo and Jefferson	1,085,000	1,178,000	Off-peak special interruptible.
Timken Detroit Axle Co.	100-400 Clark	2,135,000	1,242,000	Firm.
Ford Motor Co.	River Rouge Plant	1,267,000	3,002,000	Interruptible.

At such public hearing Panhandle shall proceed first, followed by Michigan

Consolidated, and the procedure thereafter shall be as the trial examiner shall determine.

Date of issuance: October 9, 1947.

By the Commission.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-9268; Filed, Oct. 15, 1947;
8:48 a. m.]

[Docket No. G-934]

CITIES SERVICE GAS CO.

ORDER FIXING DATE OF HEARING

Upon consideration of the application filed August 18, 1947, by Cities Service Gas Company (Applicant), a Delaware corporation with its principal place of business at Oklahoma City, Oklahoma, for a certificate of public convenience and necessity pursuant to section 7 of

²At the public hearing Michigan Consolidated, an intervener, actively participated. Its counsel cross-examined extensively with respect to the meaning and effect of the rate schedules which Panhandle had tendered for filing, and, also, made an extended argument on such schedules.

the Natural Gas Act, as amended, authorizing the construction and operation of certain natural gas facilities, subject to the jurisdiction of the Commission, as fully described in such application on file with the Commission and open to public inspection;

It appearing to the Commission that: This proceeding is a proper one for disposition under the provisions of Rule 32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure (as amended June 16, 1947), Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on September 5, 1947, (12 F. R. 5925).

The Commission, therefore, orders that:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure (as amended June 16, 1947), a hearing be held on November 3, 1947, at 9:30 a. m. (e. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of Rule 32 (b) of the Commission's rules of practice and procedure (as amended June 16, 1947).

(B) Interested State commissions may participate as provided by Rules 8 and 37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: October 10, 1947.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-9269; Filed, Oct. 15, 1947;
8:48 a. m.]

[Docket No. G-952]

UNITED GAS PIPE LINE CO.

ORDER FIXING DATE OF HEARING

Upon consideration of the application filed September 22, 1947, by United Gas Pipe Line Company (Applicant), a Delaware corporation with its principal place of business in Shreveport, Louisiana, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the acquisition of approximately 20.75 miles of 4-inch natural-gas transmission line from the City of Bay St. Louis, Mississippi, as fully described in such application on file with the Commission and open to public inspection;

It appearing to the Commission that: This proceeding is a proper one for dis-

position under the provisions of Rule 32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure (as amended June 16, 1947), Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on October 8, 1947, (12 F. R. 6646).

The Commission, therefore, orders that:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure (as amended June 16, 1947), a hearing be held on November 3, 1947, at 9:45 a. m. (e. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of Rule 32 (b) of the Commission's rules of practice and procedure (as amended June 16, 1947).

(B) Interested State commissions may participate as provided by Rules 8 and 37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: October 10, 1947.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-9270; Filed, Oct. 15, 1947;
8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 396, Special Permit 310]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Chicago, Ill., October 6, 1947, by National Produce Distributors, of car PFE 46381, potatoes, now on the CNW to Fruit Service Co., Duluth, Minn. (Soo Line).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing

it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of October 1947.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 47-9276; filed, Oct. 15, 1947;
8:46 a. m.]

[S. O. 396, Special Permit 311]

RECONSIGNMENT OF POTATOES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Chicago, Ill., October 7, 1947, by National Produce Distributors, of car PFE 45445, potatoes, now on the CNW to O'Neill Produce Co., Urbana, Ill. (Wabash).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 10th day of October 1947.

HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 47-9277; Filed, Oct. 15, 1947;
8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-1641]

PORTLAND GENERAL ELECTRIC CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Philadelphia, Pa., on the 10th day of October A. D. 1947.

Notice is hereby given that an application or declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Portland General Electric Company, a registered holding company, and a subsidiary company of Portland Electric Power Company, likewise a registered holding company. The applicant or declarant designates sections 6 (a) and either sections 6 (b) or 7 of the act as applicable to the proposed transactions.

Notice is further given that any interested person, may not later than Octo-

ber 24, 1947 at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application or declaration proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such applications or declarations as filed or as amended, may be granted or permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said application or declaration, which is on file in the offices of this Commission, for a statement of the transactions therein proposed, which are summarized below:

Portland General Electric Company proposes to issue and sell, at competitive bidding pursuant to Rule U-50, \$6,000,000 principal amount of First Mortgage Bonds, --% series due 1977, to be secured by a principal Indenture of Mortgage and Deed of Trust from Portland General Electric Company to The Marine Midland Trust Company of New York, dated July 1, 1945, and by a First Supplemental Indenture to be dated November 1, 1947.

It is stated that the invitation for bids will provide that each bid for such bonds shall specify the coupon rate (which shall be a multiple of $\frac{1}{8}\%$) and the price, exclusive of accrued interest to be paid to Portland General Electric Company for such bonds (which shall not be less than the principal amount thereof and not more than 102.75% of the principal amount thereof) and that each bid shall provide that accrued interest on such bonds from November 1, 1947 to the date of delivery and payment therefor will be paid to the company by the purchaser. It is further stated that out of the proceeds of the sale of such bonds, the sum of \$6,000,000 in cash will be deposited with the Indenture Trustee, as the basis for the issuance of the \$6,000,000 principal amount of such bonds, and that it is contemplated that, immediately after the sale of such bonds, approximately \$2,900,000 of such deposit will be withdrawn pursuant to the terms of the Indenture on the basis of available additional credits for the period from March 31, 1945 to June 30, 1947 and that the balance of such deposit will be withdrawn pursuant to said Indenture from time to time thereafter on the basis of available additions after June 30, 1947.

It is further stated that such issuance and sale is subject to the approval of the Public Utilities Commissioner of the State of Oregon, the State in which applicant or declarant is organized and doing business. The application or declaration further requests that the Commission's order be and become effective forthwith upon the issuance thereof and

that the time for opening bids be reduced from ten days to six days.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 47-9273; Filed, Oct. 15, 1947;
8:49 a. m.]

DEPARTMENT OF JUSTICE Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 9889]

TAROICHI NAGAO ET AL.

In re: Claims owned by Taroichi Nagao and others.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Taroichi Nagao, Hideo Nagao, and Kenichi Nagao, whose last known addresses are Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation owing to Taroichi Nagao by Toranosuke Kanazawa arising out of salary payments collected for Taroichi Nagao by Toranosuke Kanazawa from Nagao Shoten, Ltd., including particularly but not limited to those sums collected by Toranosuke Kanazawa for Taroichi Nagao from January 1, 1934 to November 30, 1941, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, and

b. Those certain debts or other obligations owing to Taroichi Nagao, Hideo Nagao and Kenichi Nagao by Toranosuke Kanazawa, in the amounts set opposite their names below:

Name:	Amount
(i) Taroichi Nagao.....	\$7,850
(ii) Hideo Nagao.....	2,410
(iii) Kenichi Nagao.....	6,600

arising out of dividends declared and paid by Nagao Shoten, Ltd., for the years 1930, 1931, 1933, 1936, 1937 and collected by Toranosuke Kanazawa, in behalf of each of the above named persons, evidenced in part by checks issued by Nagao Shoten, Ltd., numbered BS8172, CT6700 and DG1990, dated January 19, 1933, December 14, 1936 and December 30, 1937, respectively, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are

not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 24, 1947.

For the Attorney General.

[SEAL]

DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9286; Filed, Oct. 15, 1947;
8:46 a. m.]

[Vesting Order 9902]

JULIA BAUSCH

In re: Bank account owned by Julia Bausch. F-28-3026-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Julia Bausch, whose last known address is Kreils, Heilbronn, Wurttemberg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Julia Bausch, by The Bloomfield Savings Institution, 11 Broad St., Bloomfield, New Jersey, arising out of a savings account, account number 74055, entitled Julia Bausch, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used,

administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 1, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9287; Filed, Oct. 15, 1947;
8:46 a. m.]

[Vesting Order 9906]

HERBERT W. HASTEDT ET AL.

In re: Bank account owned by Herbert W. Hastedt and others.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Herbert W. Hastedt, Eberhardt Diestel and Anita Diestel, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That Diestel, Hastedt & Co., the last known address of which is Guatemala City, Guatemala, is a partnership, organized under the laws of Guatemala, all of the assets and capital of which is, or, since the effective date of Executive Order 8389, as amended, has been owned and controlled by the aforesaid Herbert W. Hastedt, Eberhardt Diestel and Anita Diestel, and is a national of a designated enemy country (Germany);

3. That the property described as follows: That certain debt or other obligation of Bank of the Manhattan Company, 40 Wall Street, New York, New York, arising out of a checking account, entitled Diestel, Hastedt & Co., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Herbert W. Hastedt, Eberhardt Diestel and Anita Diestel, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That Diestel, Hastedt & Co. is owned and controlled by Herbert W. Hastedt, Eberhardt Diestel and Anita Diestel, or is acting for or on behalf of a designated enemy country (Germany) or persons within such country and is a national of a designated enemy country (Germany); and

5. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been

made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 1, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9288; Filed, Oct. 15, 1947;
8:46 a. m.]

[Vesting Order 9910]

HERMAN P. KANJEFSKY

In re: Bank account owned by Herman P. Kanjefsky, also known as Paul Kanjefsky. F-28-297-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Herman P. Kanjefsky, also known as Paul Kanjefsky, whose last known address is Varel (23) Ordenburg, Bezirk, Friesland, Oldenburgerstrasse 10/28, Bei Georg, Britische Besatzungs Zone, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of The Manhattan Savings Bank, 754 Broadway, New York 3, New York, arising out of a Savings Account, account number 161030, entitled Herman P. Kanjefsky or Maria Kanjefsky, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Herman P. Kanjefsky, also known as Paul Kanjefsky, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 1, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9289; Filed, Oct. 15, 1947;
8:46 a. m.]

[Vesting Order 9916]

MARY REPTOWSKI

In re: Bank account owned by the personal representatives, heirs, next of kin, legatees and distributees of Mary Reptowski, deceased. F-28-25776-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Mary Reptowski, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of First National Bank in St. Louis, 323 N. Broadway, St. Louis 2, Missouri, arising out of a Checking Account, entitled Mary Reptowski, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Mary Reptowski, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 1, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9290; Filed, Oct. 15, 1947;
8:46 a. m.]

[Vesting Order 9918]

JOHANN SEITZ

In re: Bank account owned by Johann Seitz also known as Johon Seitz. F-28-12232-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Johann Seitz, also known as Johon Seitz, whose last known address is Weisenhorn Ulm, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Johann Seitz, also known as Johon Seitz, by American Trust Company, 464 California St., San Francisco, California, arising out of a savings account, account number 6278, entitled Johann Seitz, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 1, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9291; Filed, Oct. 15, 1947;
8:46 a. m.]

[Vesting Order 9919]

JOSEPH SEITZ

In re: Bank account owned by Joseph Seitz. F-28-12233-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Joseph Seitz, whose last known address is Hochstadt at Donau, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Joseph Seitz, by American Trust Company, 464 California St., San Francisco, California, arising out of a savings account, account number 6253, entitled Joseph Seitz, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 1, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9292; Filed, Oct. 15, 1947;
8:46 a. m.]

[Vesting Order 9920]

LORENZ SEITZ

In re: Bank account owned by Lorenz Seitz. F-28-12234-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Lorenz Seitz, whose last known address is Dillingen at Donau, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Lorenz Seitz, by American Trust Company, 464 California St., San Francisco, California, arising out of a savings account, account number 6109, entitled Lorenz Seitz, and any and all

rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 1, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9293; Filed, Oct. 15, 1947;
8:46 a. m.]

[Vesting Order 9923]

ANNA WAGNER

In re: Bank account owned by Anna Wagner. F-28-28328-E-1

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anna Wagner, whose last known address is Worms, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Anna Wagner, by Dry Dock Savings Institution, 742 Lexington Avenue, New York 22, N. Y., arising out of a Savings Account, account number 228,560, entitled Miss Anna Wagner, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not

within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 1, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9294; Filed, Oct. 15, 1947;
8:47 a. m.]

[Vesting Order 9924]

ANNA WAGNER

In re: Bank account owned by Anna Wagner, F-28-28331-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anna Wagner, whose last known address is Breslau, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Anna Wagner, by The First National Bank of Chicago, Chicago, Illinois, arising out of a Savings Account, account number 1,375,599, entitled Anna Wagner, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 1, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9295; Filed, Oct. 15, 1947;
8:47 a. m.]

[Vesting Order 9925]

MARIE LOUISE WILLENBROCK

In re: Bank account owned by Marie Louise Willenbrock, F-28-28496-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Marie Louise Willenbrock, whose last known address is No. 5 Romerstrasse, Bremer, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of Girard Trust Company, Broad and Chestnut Streets, Philadelphia, Pennsylvania, arising out of a savings account, account number 6826, entitled Marie Louise Willenbrock; Lucy W. Knauf, Atty., and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 1, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9296; Filed, Oct. 15, 1947;
8:47 a. m.]

[Vesting Order 9928]

YASUNARI KAMEI

In re: Real property and claim owned by Yasunari Kamei.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Yasunari Kamei, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. Real property, situated in the City and County of Los Angeles, State of California, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. That certain debt or obligation owing to Yasunari Kamei by Hanako Horiuchi, 417 Turner Street, Los Angeles, California, arising by reason of rentals which are due and unpaid from the real property described in subparagraph 2-a hereof, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 7, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

All that certain real property situate in the County of Los Angeles, State of California, described as follows:

Lot 17 in Block 2 of the Sanchez Tract, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 3, Pages 158 and 159, of Miscellaneous Records, in the office of the County Recorder of said County.

[F. R. Doc. 47-9297; Filed, Oct. 15, 1947; 8:47 a. m.]

[Vesting Order 9929]

DR. KICHITARO YANAGIHARA

In re: Leasehold estate, interest in a fire insurance policy and a claim owned by (Dr.) Kichitaro Yanagihara, also known as K. Yanagihara.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That (Dr.) Kichitaro Yanagihara, also known as K. Yanagihara, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. A leasehold estate in real property, situated in Kapaa, Puna, Kauai, Territory of Hawaii, particularly described in Exhibit A, attached hereto and by reference made a part hereof, created under and by virtue of a lease executed December 17, 1940, by and between the Commissioner of Public Lands of the Territory of Hawaii, Lessor, and (Dr.) Kichitaro Yanagihara, Lessee, which lease is designated as General Lease No. 2854 in the Office of Commissioner of Public Lands, Territory of Hawaii.

b. All right, title and interest of (Dr.) Kichitaro Yanagihara, also known as K. Yanagihara, in and to Fire Insurance Policy Number 803891, expiring July 27, 1950, issued by the Providence Washington Insurance Company, 20 Market Square, Providence, Rhode Island, insuring the real property particularly described in Exhibit A, attached hereto and by reference made a part hereof, and

c. That certain debt or other obligation owing to (Dr.) Kichitaro Yanagihara, also known as K. Yanagihara, by the National Mortgage & Finance Company, Limited, 1030 Smith Street, Honolulu, Territory of Hawaii, arising out of the collection of rentals from the property described in subparagraph 2-a hereof, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as

a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a to 2-c, hereof, inclusive, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 7, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

PARCEL 1

Lot 4: Beginning at the northwest corner of this lot, the southwest corner of Lot 3, Block S, and on the southeast side of Inia Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "NONOU" being 4832.50 feet North and 12396.90 feet East, as shown on Government Survey Registered Map 2450, and running by azimuths measured clockwise from true South:

1. 289°53' 151.20 feet along Lot 3, Block S, to a pipe;
2. 19°53' 5.00 feet along Government Reserve to a pipe;
3. 354°00' 50.00 feet along same;
4. 109°53' 173.00 feet along Lot 5, Block S;
5. 199°53' 50.00 feet along the southeast side of Inia Street to the point of beginning.

PARCEL 2

Lot 5: Beginning at a pipe at the southwest corner of this lot, the northwest corner of Lot 6, Block S (revised) and on the southeast side of Inia Street, the coordinates of said point of beginning referred to Government Survey Triangulation Station "NONOU" being 4727.74 feet North and 12359.01 feet East, as shown on Government Survey Registered Map 2450, and running by azimuths measured clockwise from true South:

1. 199°53' 61.40 feet along the southeast side of Inia Street (40 feet wide);
2. 289°53' 173.00 feet along Lot 4, Block S;
3. 354°00' 1.20 feet along Government Reserve to a pipe;
4. Thence along Grant 9966 to Hawaiian Canneries Company, Limited (railroad right-of-way 25 feet wide) on a curve to the right with a radius of 228.00 feet, the direct azimuth and distance being 43°25' 65.43 feet to a pipe;
5. 109°53' 147.40 feet along Lot 6, Block S (revised) to the point of beginning.

[F. R. Doc. 47-9298; Filed, Oct. 15, 1947; 8:47 a. m.]

[Vesting Order 9935]

KATHARINE C. GROH

In re: Estate of Katharine C. Groh, deceased. File No. D-28-11850; E. T. sec. 16057.

Under the authority of the Trading with the Enemy Act, as amended, Ex-

ecutive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Fina Reitter and Kathi Schoner, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country, (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the Estate of Katharine C. Groh, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country, (Germany);

3. That such property is in the process of administration by Ferdinand W. Erbe, as executor, acting under the judicial supervision of the Orphans' Court of Cape May County, State of New Jersey;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 7, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9299; Filed, Oct. 15, 1947; 8:47 a. m.]

[Vesting Order CE 413]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN MICHIGAN, OHIO, AND ILLINOIS COURTS.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said

persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That as a result of such action or proceeding each of said persons obtained or was determined to have the property particularly described in Column 4 of said Exhibit A opposite such person's name;

4. That such property is in the possession or custody of, or under the control of, the person described in Column 5 of said Exhibit A opposite such property;

5. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 6 of said Exhibit A opposite such action or proceeding;

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property in the possession or custody of, or under the control of, the persons described in Column 5 of said Exhibit A in amounts equal to the sums stated in Column 6 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6).

Executed at Washington, D. C., on October 10, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Property	Column 5 Depository	Column 6 Sum vested
<i>Item 1</i>					
Heirs, names unknown of Nick Micu, deceased, within Roumania.	Rumania	Estate of Nick Micu, deceased. Probate Court, Wayne County, State of Michigan.	\$637.20	Benjamin D. Burdick, Administrator, 728-730 Dime Bldg., Detroit 26, Mich.	\$50.00
<i>Item 2</i>					
Bernadina Schrand	Germany	Dorger vs. Schrand, Court of Common Pleas, Hamilton County, State of Ohio.	1,768.60	Tannery Bldg. Association Co., Cincinnati, Ohio.	300.00
<i>Item 3</i>					
Margarethe Theodora Kraft	Denmark	Estate of Sophie E. Schroeder, deceased. County Court of Pulaski County, Mound City, Ill.	1,121.03	Mr. Poul Scheel, Consul General of Denmark, Royal Danish Consulate, 38 Bellevue Pl., Chicago 11, Ill.	5.00
<i>Item 4</i>					
Hans Kjolseth	do	Same	1,121.03	do	5.00
<i>Item 5</i>					
Helene Dorethe Kjolseth	do	Same	1,121.03	do	5.00
<i>Item 6</i>					
Marie Christine Margarethe Schroder	do	Same	1,404.66	do	6.00
<i>Item 7</i>					
Sophie Andrea Schroder	do	Same	1,204.66	do	5.00
<i>Item 8</i>					
Christian Hell, as Guardian for Margarethe Catherine Schroder	do	Same	2,102.00	do	8.00
<i>Item 9</i>					
Marie Anna Catherine Paulsen	do	Same	2,097.00	do	8.00
<i>Item 10</i>					
Friederich Christian Christiansen	do	Same	2,097.00	do	8.00
<i>Item 11</i>					
Raimondo Minucci	Italy	Ben Poci, Plaintiff vs. Raimondo Minucci, and others, Circuit Court, Whiteside County, State of Illinois.	1,512.96	County Treasurer of Whiteside County, Morrison, Ill.	50.00
<i>Item 12</i>					
Maria Minucci	do	Same	1,512.96	do	50.00
<i>Item 13</i>					
Angelo Minucci	do	Same	1,512.96	do	50.00
<i>Item 14</i>					
Loretto Minucci	do	Same	1,512.96	do	50.00
<i>Item 15</i>					
Amalia Minucci	do	Same	1,512.96	do	50.00
<i>Item 16</i>					
Virginia Minucci	do	Same	1,512.96	do	50.00
<i>Item 17</i>					
Teresa Minucci	do	Same	1,512.96	do	50.00
<i>Item 18</i>					
Guglielmo Bonacquisti	do	Same	504.32	do	16.00
<i>Item 19</i>					
Fernando Bonacquisti	do	Same	504.31	do	16.00
<i>Item 20</i>					
Argia Bonacquisti	do	Same	504.31	do	16.00

NOTICES

[Vesting Order 9494, Amdt.]

J. D. VOLKMANN

In re: Bank account owned by the personal representatives, heirs, next of kin, legatees and distributees of J. D. Volkmann, deceased.

Vesting Order 9494, dated July 23, 1947 is hereby amended as follows and not otherwise:

By deleting from subparagraph 2 of the said Vesting Order 9494, the phrase "a Commercial Account, entitled D. G. Volkmann, Special Account No. 2" and substituting therefor the following "an account, entitled D. G. Volkmann, Special Account No. 1".

All other provisions of said Vesting Order 9494 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on September 15, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9300; Filed, Oct. 15, 1947;
8:47 a. m.]

[Vesting Order 9495, Amdt.]

MR. AND MRS. RICHARD VOLKMANN

In re: Bank account owned by Mr. and Mrs. Richard Volkmann.

Vesting Order 9495, dated July 23, 1947, is hereby amended as follows and not otherwise:

By deleting from subparagraph 2 of the said Vesting Order 9495, the phrase "a Commercial Account, entitled D. G. Volkmann, Special Account No. 1" and substituting therefor the following "an account, entitled D. G. Volkmann, Special Account No. 2".

All other provisions of said Vesting Order 9495 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on September 15, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9301; Filed, Oct. 15, 1947;
8:48 a. m.]

[Vesting Order CE 292, Amdt.]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN WASHINGTON COURTS

Vesting Order CE-292, dated June 6, 1946, is hereby amended as follows and not otherwise:

By adding "also known as Joseph Francois Dauron" immediately following "J. Damon" in Column 1 of Item 19 of Exhibit A of said vesting order and

By deleting the sum "\$43.00" from Column 4 of Item 19 of Exhibit A of said vesting order, and substituting therefor the sum "\$86.00";

All other provisions of said Vesting Order CE-292 and all actions taken by or on behalf of the Alien Property Custodian or the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on October 7, 1947.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 47-9303; Filed, Oct. 15, 1947;
8:48 a. m.]